

PUBLIC HEARING

Nov. 10, 1944

Town Clerk's Office

7:00 P.M.

Present: Mr. Schmersahl
Mr. Eberling
Mr. Dickenman
Mr. Blauvelt

The public hearing was opened by Roswell P. Blauvelt, who acted as Chairman, and he explained that it was being held to consider an application for a change in the Zoning Ordinance to permit the erection of a County Garage in the rear of the Court House just west of New Hempstead Road. He said that the Board was now ready to listen to all those present who wished to speak either for or against the contemplated change. He further added that the change has been published in the local paper and notices have been posted pursuant to law.

Mrs. Buchenau then read the notice calling for the public hearing.

Mr. Blauvelt then invited those present who wished to speak either for or against the zoning change to voice their opinions.

Mr. Herman Irion said he understood the change was asked to enable the County to purchase the property described in the notice and to erect thereon a County Barn. He told the Board that he recently had been up at Poughkeepsie and found a building similar to the one proposed for New City, and it is quite an ornament to the place where it is being erected. He said he understood that the present county barn would be torn down and the property landscaped, and he felt this would enhance the looks of the property. He pointed out that Mr. Klein, Supt. of Highways, desired to purchase about one acre of this property in order to enlarge the scope of his storage, as he wants to get his highway machinery under cover. Mr. Irion told the Board that he felt the County and Town are in need of definite improvements. This would provide additional space for work to be done. He said Mr. Allison wants to move his office to the new building in order to give him greater facilities to carry on his work and give further space in the court house. Mr. Irion said his property is residential and that he adjoins the property under consideration. He approves of the proposed change 100%.

Mr. Irion then told the Board he was speaking for the New City Business Mens' Assoc. and also the Planning Board, and that both organizations were in favor of the proposed change. He said he felt that anyone who owned property would not object to this change if they really understood it, as it

would in effect, give the community a chance to grow. He said the community has stood still too long. Mr. Irion pointed out that a large portion of the money to erect this building will be given by the State of New York, as it will be a post-war project. He urged that every possible effort be made to effect the requested change quickly, as it will bring more business here, also more work and activities.

Mr. Al Eberling then asked if the trucks and highway equipment would be left in front of the garage and scattered about in an unsightly manner.

Mr. Blauvelt then said the purpose was to build a large enough garage to house all the equipment. Mr. Klein also wants to get additional space to store the snow plows and other highway machinery.

Mr. John Koop told the Board that he was in favor of the proposed change.

Mr. Allison, County Engineer, then displayed the plans for the new garage, from which it was observed that the building would be faced with either brick or concrete. It is to be located right west of the parking space and will face the back of the court house. The model for this garage is claimed by the State authorities to be one of the best in the State.

Mr. Henion, County Attorney, then filed a resolution adopted by the Board of Supervisors and a map prepared by C. T. Allison, County Engineer, showing the proposed area to be re-zoned and also the location of the proposed garage.

Mr. Allison then said that the construction of this building would be a postwar project, and that it is greatly needed.

Mr. Lawrence then told the Board that he would like to see the change made, as he is interested in seeing the Town grow.

Mr. Monroe Katt also said he felt that the change in this property would be a good one, as he wants to see the community grow and expand.

As there were no other persons present who desired to speak, a motion was moved by Mr. Dickenman, seconded by Mr. Eberling and unanimously carried that the hearing be closed.

Mr. Blauvelt declared the hearing closed at 8:00 P.M.

TOWN BOARD MEETING

Nov. 10th, 1944

Town Clerk's Office

8:00 P.M.

Present: Mr. Schmersahl

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Mr. Blauvelt called the meeting to order.

WHEREAS, an application was heretofore made to the Town Board of the Town of Clarkstown, requesting that certain changes be made in the Zoning Map and Ordinance in the New City neighborhood of the Town of Clarkstown, and

WHEREAS, notice was duly given to the public by publication in the official newspaper for the Town as shown by the affidavit of Helen L. Phillips, dated the 30th day of October, 1944, and posting of said notice in seven (7) public places in the Township as shown by the affidavit of Walter Liebert dated on the 9th day of November, 1944, and

WHEREAS, a hearing was duly had in the office of the Town Clerk of the Town of Clarkstown in the Hamlet of New City, Town of Clarkstown, County of Rockland, New York, on the 10th day of November, 1944 at 7:00 P.M. (Eastern War Time), and

WHEREAS, the Supervisor and the Town Board and the Town Clerk were present at said hearing, and duly heard the applicant herein for said application and duly heard various residents and citizens of the district and Township discuss pros and cons of the merits of said application as shown by the minutes of said hearing, and ample opportunity was granted all persons at said hearing to be fully heard, and

WHEREAS, due consideration was given the said application, on Motion of Councilman Dickenman and seconded by Councilman Eberling

BE IT RESOLVED, that the real property hereinafter described be, and the same hereby is, transferred from Residence "B" District to the Business "B" District, and that the Building Zone map of the Town of Clarkstown, Rockland County, New York, be amended accordingly.

The real property herein above referred to is described as follows:

ALL that parcel of land situated at New City, in the Town of Clarkstown, Rockland County, New York, bounded and described as follows:

Beginning at a point on the westerly side of the Zoning District, which is zoned for business purposes on the westerly side of Route 304, said point being on the northerly line of lands of Christy Eberling 200 feet from the westerly side of route 304; running thence north $72^{\circ} 30' 30''$ west 845 feet, plus or minus, to the east line of property owned by Irving Hyman; thence along said Hyman's property north $13^{\circ} 19' 30''$ east to the south side of the New Hempstead Road; thence along the south side of the New Hempstead Road about 1,075 feet to the westerly line of the aforesaid business district abutting 304; thence along the said business district in a southerly direction about 625 feet to the point or place of beginning.

Containing all the within described property to be placed in Business "B" District. The distances above described are plus or minus.

BE IT FURTHER RESOLVED, that the real property above described after this amendment to the Building Zone Ordinance of the Town of Clarkstown, County of Rockland, New York, shall take effect, shall be free from the restrictions imposed upon it by the provisions of said Ordinance governing Residence "B" District and shall thereafter be subject only to the provisions of said Ordinance governing Business "B" District uses.

BE IT FURTHER RESOLVED, that the Clerk of the Town of Clarkstown be and she hereby is ordered and directed to publish this amendment twice, once in each week for two successive weeks, in the Journal-News, a daily newspaper published in the Village of Nyack, Rockland County, New York, and having a circulation in said Town of Clarkstown, said newspaper having been heretofore designated as the official paper of said Town for said publication, and to post the same in seven public places within said Town.

Upon the filing of the proof of said publication and posting, this resolution shall take effect immediately.

The vote on the adoption of the foregoing resolution was as follows:

AYES: John Dickenman
 Charles Eberling
 Fred Schmersahl

NOES: None

NOT VOTING: Roswell P. Blauvelt

Mr. Allison and Mr. Henion then thanked the Board for their courtesy and consideration.

Mr. Allison then took up with the Board the matter of a right of way in Clarkstown known as Peck Road, and requested the Board to convey to the County by means of a quit-claim deed whatever interest the Town had in

this right of way. He told the Board that there had been an understanding with Mr. Stanley that the old right of way would be deeded back to him. Mr. Gagan, who is attorney for the Stanley Estate, wishes to clear the matter up.

Mr. Eberling moved that the Town Board relinquish all rights and interest in a right of way known as Peck Road, situate in the Town of Clarkstown, and that the Supervisor be authorized to sign a quit-claim deed to this property.

Seconded by Mr. Dickenman	Vote: Mr. Schmersahl	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Not Voting

Mr. Blauvelt read a letter from Central Nyack Welfare Association regarding the dumping of garbage along the highways in Central Nyack. Mr. Blauvelt then read the copy of his reply to Mr. E. C. DeFlaun, Secretary of this association.

Chief Liebert told the Board that a "No Dumping" sign had been put up. Also he said that his department has been watching in the vicinity of this complaint, but have not been able to find anyone guilty of dumping garbage.

The Board then discussed the possibility of a garbage collection district and also if it might be possible to work out some solution with Spring Valley when they build their incinerator plant.

Mr. Blauvelt read a letter from Louis T. Boecher, advising that the Commissioners of Moleston Fire Dist. have unanimously voted to appoint George W. Wallace to act as Treasurer of the district in place of Louis H. Boecher, who has moved out of the district. He requested the approval of the Board to this appointment.

Mr. Blauvelt told the Board that he understood the Commissioners had full authority in this matter and that the approval of the Board is not necessary.

Mr. Schmersahl moved that Mrs. Buchenau notify the Moleston Fire Commissioners that they have full jurisdiction in the appointment of a Treasurer for their district.

Seconded by Mr. Dickenman	Carried
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Mr. Draudt and Mr. Palermo then said they would report this fact back to the residents of this highway and see if the proper deed could be obtained, so that the extension can be constructed.

Mr. Klein then requested that the newspaper be straightened out regarding his salary. He said that he receives as salary \$3500. and \$400. is allowed him for the use of his personal car, making a total of \$3900.

Mr. Klein then asked the Board if they would not make the county an offer of \$500. for one acre of land adjoining his highway barn.

Mr. Eberling moved that an offer of \$500. be made to the County for an acre of ground in back of the court house adjoining the Clarkstown Highway Barn.

Seconded by Mr. Dickenman	Vote: Mr. Schmersahl	Yes
	Mr. Eberling	Yes
	Mr. Dickerman	Yes
	Mr. Blauvelt	Not Voting

Mr. Eberling moved that inasmuch as Election Inspectors were required to work two additional hours on Election Day that their compensation be \$15.00 instead of \$13.00, which is the present amount allowed.

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. Eberling	Yes
	Mr. Dickerman	Yes
	Mr. Blauvelt	Yes

Mrs. Buchenau then read the minutes for the regular meeting held Oct. 13th, 1944, Special Meetings held Oct. 24th and Nov. 3rd, and a Public Hearing held Nov. 3rd.

Mr. Dickenman moved the minutes of all meetings be adopted as read with a correction in the minutes of Oct. 13th meeting, namely, "1945" and not 1944 in the resolution regarding the payment of \$20.00 by all persons requesting an appeal.

Mr. Eberling moved that the meeting be adjourned to go into Board of Health Meeting.

Seconded by Mr. Dickenman	Carried
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After discussing matters pertaining to health in Board of Health Meeting, on motion of Mr. Eberling, seconded by Mr. Dickenman and unanimously carried, the Board reconvened into regular Town Board meeting.

Chief Liebert then spoke to the Board about the Town Ordinances. He said that this is the time of the year now when people leave their cars parked on the highways, and this makes it very difficult to plow and remove snow from the roads. He suggested that an Ordinance be adopted which would prohibit this. He suggested also that something be put in the paper about this matter, so that the people will cooperate a little better.

Mr. Wexler then told the Board that he expected to have the ordinances in shape for the next Board meeting. He told the Board that in some cities, if cars are parked on the streets longer than two hours, they are removed by the authorities. He said that this might be one way to eliminate the parking of cars on the highways.

Mr. Blauvelt then said he felt that if a warning was given to the people, this would be sufficient.

Mr. Klein told the Board that the three roads in New City Park would be finished this week, weather permitting. He told the Board also that he had informed the park authorities that if it is necessary to open the roads for the purpose of laying mains, it will cost them money for the permit to do this.

Mr. Wexler told the Board that at a previous meeting he had commended the Board of Appeals for their very fine work but neglected to mention the Zoning Inspector, Mr. Elliott. He said he felt the Town was very fortunate to have a public servant like Mr. Elliott, as he is always available and willing to cooperate at all times.

Bills Nos. 747 to 885 on Warrant #11 were audited and ordered paid as follows:

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
747	John C. Fajen	Rent	TOWN BOARD Town Hall & Offices	30.00
748	"	"	"	50.00
749	Nanuet National Bank	"	"	30.00
750	Mrs. Rose M. Leo	"	"	40.00
751	Coyle & Coyle	"	"	35.00
752	Ida Titus	Rent & Storage of Machines	"	75.00
753	Valley Cottage Engine Co. #1	"	"	80.00
754	Central Engine Co. #6	"	"	85.00
755	Kakiat Tribe #267	"	"	85.25
* 756	Centenary Methodist Church	"	"	85.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
757	Congers Fire Dist.	Rent & Storage of Machines	TOWN BOARD Town Hall & Offices	95.00
758	Nyack Window Cleaning Co.	Repairs	"	6.00
759	Rockland Lt. & Power Co.	Light	"	3.75
760	"	"	"	7.24
761	"	"	"	1.00
762	"	"	"	4.70
763	Rockland Gas Co., Inc.	Heat	"	4.60
764	New York Telephone Co.	Telephone	"	16.55
765	"	"	"	9.70
766	"	"	"	6.15
767	"	"	"	5.60
768	"	"	"	23.40
769	"	"	"	10.08
770	"	"	"	6.15
771	"	"	"	6.25
772	Association of Town of State of New York	Other Expense	"	32.00
773	New City Hardware Store	"	"	2.27
774	Richard Cordwell	Compensation	Elections	46.24 ✓
775	Cora A. Martling	"	"	46.24
776	James H. Kelly	"	"	46.24
777	Marjorie Lanning	"	"	46.24
778	Carrie Seeger	"	"	15.00
779	Jens Tellefsen	"	"	25.00
780	Clyde Begbie	"	"	57.25
781	Bertha Biederman	"	"	57.25
782	Jane M. Ryan	"	"	57.25
783	Joseph Skvasik	"	"	73.45
784	Edwin A. Rogers	"	"	25.25
785	Thelma Shaw	"	"	46.24
786	Walter A. Hoehn	"	"	12.00
787	Margaret V. Sucusy	"	"	58.24
788	Sidney D. Schimpf	"	"	73.24
789	Alfred L. Biltz	"	"	46.24
790	Marantha Knapp	"	"	12.00
791	Trudy S. Smith	"	"	15.00
792	Edna I. Wright	"	"	15.00
793	Charles T. Heinig	"	"	35.00
794	Elizabeth Kastner	"	"	58.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u> TOWN BOARD Elections	<u>AMOUNT ALLOWED</u>
795	Fred J. Smith	Compensation		96.00
796	Daniel W. Rogers	"	"	58.00
797	Robert C. Foster	"	"	57.00
798	Olga M. Schmersahl	"	"	45.00
799	Raymond J. Hayes	"	"	45.00
800	Clarence W. Brown	"	"	56.00
801	F. Gordon Fee	"	"	45.00
802	Thomas Simpson	"	"	15.00
803	Martin Flamik	"	"	15.00
804	Fred Braun	"	"	15.00
805	George Morgan	"	"	15.00
806	George Slater	"	"	15.00
807	Raymond Youmans	"	"	25.00
808	Walter Stark	"	"	20.00
809	William F. Westerfield	"	"	58.00
810	Gustav A. Winko	"	"	57.00
811	Elmer C. DeFlaun	"	"	58.00
812	Leota E. Janson	"	"	58.00
813	James J. Shortal	"	"	55.00
814	R. D. Southward	"	"	57.00
815	Madeline Rose	"	"	46.00
816	William Woltjen	"	"	57.00
817	Fred Mutinsky, Jr.	"	"	15.00
818	Howard Hogsett	"	"	15.00
819	John V. Hurson	"	"	15.00
820	Michael J. McMahon	"	"	46.00
821	Leonard Pollaci	"	"	56.00
822	George Hamblin	"	"	46.00
823	David Edwards	"	"	45.00
824	Charles Lenhart	"	"	58.40
825	Rose Lenhart Clarke	"	"	58.40
826	Charles O. Conklin	"	"	24.00
827	Marie C. Schiebelhuth	"	"	34.40
828	Alice Hopper	"	"	57.00
829	Charles Lenhart	"	"	40.00
830	Harry Sergeant	"	"	46.50
831	Marie Steinbach	"	"	46.50
832	Gustav H. Knauth	"	"	56.50
833	Marie Orgera	"	"	46.50

ABB953

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
834	Josephine Gaffney	Compensation	TOWN BOARD Elections	46.24
835	Elmer W. Brown	"	"	45.00
836	Lorraine Mericle	"	"	45.00
837	O. T. Keyser	"	"	55.00
838	Charles R. Roth	Comp. Custodian of Voting Machines	"	200.00
839	Lewis Wootten	Other Expense	"	36.00
840	The Rockland Co. Times	"	"	9.36
841	The Journal-News	Printing & Advertising	Printing & Advertising	135.52
842	"	"	"	6.05
843	"	"	"	11.76
844	"	"	"	2.64
845	John Elliott	Zoning Inspector & Exp.	Zoning Inspector & Exp.	17.96
846	Cunard Stationery & Printing Co., Inc.	Office Exp.	Supervisor	5.65
847	Dennis & Co., Inc.	Expense	"	2.00
848	"	"	Justice Police <u>\$6.00</u> <u>6.00</u>	12.00
849	Joseph B. Komonchak	Office Expense	Justice	5.00
850	The Consolidated Stamp Mfg. Co.	"	Rec. of Taxes	2.13
851	Florence Blauvelt	Comp. of Employees	Board of Appeals	27.50
852	New City Hardware Stores	Exp.	Police	5.00
853	C. R. Jones, Jr., Inc.	Other Exp.	"	4.85
854	Philip Rieber Co.	"	"	7.85
855	Walter Bovee	"	"	43.38
856	New York Telephone Co.	Congers O.C.D.	War Emergency Pur.	4.92
857	Rockland Lt. & Power Co.	"	"	1.00
858	New York Telephone Co.	"	"	11.50
859	"	Valley Cottage O.C.D.	"	2.02
860	Samuel H. Handley	Expense	Welfare Officer	9.08
861	Nyack Typewriter Exchange	Office Expense	"	1.56
862	Eleanor V. Green	Home Relief	Home Relief	5.00
863	O.R.B. Road Materials, Inc.	Item No. 1	Highway	7,124.76
864	R.A.L. Contractors	"	"	293.75
865	New City Fuel Oil Co.	"	"	46.98
866	Highway Distributing Corp.	"	"	882.00
867	West Nyack Trap Rock Co.	"	"	1,125.05

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
868	Gar Wood Industries, Inc.	Item No. 3	Highway	15.75
869	Victor Smith	"	"	18.00
870	Nyack Auto Parts, Inc.	"	"	123.17
871	Snap-On Tools Corp.	"	"	23.65
872	John J. King	"	"	857.67
873	Louis Schroeder	"	"	48.44
874	Nyack Carburetor Sales & Service	"	"	6.75
875	Sosna Sales & Service	"	"	71.28
876	Rockland Lt. & Power Co.	Item No. 4	"	6.90
877	J. E. Vanderbilt & Co., Inc.	"	"	1.80
878	Walter Hicks	"	"	73.97
879	Dr. E. Winifred Pitkin	Other Health Exp.	Board of Health	30.00
880	Lederle Labs., Inc.	"	"	2.40
881	"	"	"	5.00
882	Frances Gorniak	"	"	2.00
883	James Babcock	"	"	2.00
884	Kate Buchenau	Other Expense	Registrar of Vital Statistics	74.50
885	Chas. E. Houghtaling	"	"	1.49

ABB953

Mr. Eberling moved the meeting be adjourned.

Seconded by Mr. Schmersahl

Carried

Meeting adjourned.

Town Clerk of Clarkstown